

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 93-482-T - ORDER NO. 93-1056 ✓

NOVEMBER 15, 1993

IN RE: Application of Little Dallas Motor Lines,)ORDER GRANTING
Inc., Rt. 3, Box 5121, Murray Johnson Road,)PETITION FOR
Conway, SC 29526, for a Class E)LEAVE TO
Certificate.)INTERVENE OUT
)OF TIME AND FOR
)RECONSIDERATION
)OF ORDER NO.
)93-899

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Petition for Leave to Intervene Out of Time and for Reconsideration of Order No. 93-899 of Santee Carriers, Incorporated (Santee). This Petition was filed on November 5, 1993.

Santee Carriers is authorized to provide transportation of certain commodities within the geographic area which the Commission has authorized Little Dallas Motor Lines, Inc. (Little Dallas) to provide in Order No. 93-899. Santee contends that there was sufficient service and that public convenience and necessity was already being served prior to the Commission's consideration of the application of Little Dallas in the issuance of Order No. 93-899. Santee states that although it is a subscriber to the Commission service for distribution of all notices of filing and motor carrier proceedings before the Commission, Santee did not receive any Notice of Filing or other notification of the pendency of this proceeding. Santee states that if it had received notice of the

proceeding, it would have intervened and protested to protect its interest. Therefore, Santee petitions for Leave to Intervene Out of Time and for the Commission to reconsider its Order No. 93-899.

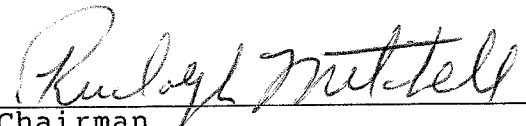
The Commission has considered this matter and believes that Santee depended on the Commission service for distribution of all Notices of Filing to receive notification of the pendency of this proceeding. The Commission believes that Santee did not receive proper notice of this proceeding. Therefore, the Commission grants the Petition for Leave to Intervene Out of Time. The Commission also will reconsider Order No. 93-899 after appropriate hearing in this matter. The Commission does believe, however, in fairness to Little Dallas Motor Lines, Inc. that Order No. 93-899 granting the Application shall remain in full force and effect until at least such time as the Commission reconsiders this matter after hearing.

IT IS THEREFORE ORDERED THAT:

1. The Petition for Leave to Intervene Out of Time is granted.
2. The Commission shall reconsider Order No. 93-899 after appropriate hearing.
3. Order No. 93-899 granting the Application shall remain in full force and effect until at least such time as the Commission reconsiders the matter after hearing.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


VICE Chairman

ATTEST:


Deputy Executive Director

(SEAL)